

CLASSIFICATION OFFICE DECISION

Title of publication: Recovered Pictures_3

Other known title(s): Not stated

OFLC ref: 1900562.022

Medium: Image File

Producer: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 31 January 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 31 January 2020

Summary of reasons for decision:

The image file is deemed to be objectionable under s3(2)(a) of the of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children or young persons for sexual purposes. It is an image of a man performing a sexual act on an older girl or young teenager, while an older boy sits nearby. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children and young persons as available for adult sexual use and as appropriate subjects for their sexual desire. The image also has the potential to be used for grooming purposes. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children and young persons as appropriate subjects for adult sexual fantasy and desire. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act be banned. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.